

CONTRACT #3
RFS # 325.05-004

Department of Agriculture

VENDOR:
Custom Data Processing



Tennessee Department of Agriculture

Ellington Agricultural Center, Box 40627, Nashville, Tennessee 37204
615-837-5100 / FAX: 615-837-5333

Ken Givens
Commissioner

Phil Bredesen
Governor

MEMORANDUM

TO: Commissioner Dave Goetz
Finance and Administration

FROM: Ken Givens

KG Givens

DATE: January 24, 2005

SUBJECT: Request for non-competitive amendment to contract for services

This Department has contracted for an on-line computer service through a vendor since 1988. I am requesting a non-competitive amendment to the current contract, which expires on March 31, 2005 enabling an extension of the contract for a twelve-month period.

The March 31 contract termination date resulted from a nine-month extension our Department received last year. During this period of time our information systems staff began converting the contracted on-line computer service to an in house Browser based system. While much of the conversion has occurred, the system is not ready for the production stage. Additional time is needed to complete system details, develop revenue and program area reports, and to adequately test the performance of the system prior to converting the system. It was felt that pursuing the conversion to an in house system would save time and money from developing an RFP for the same services. In order to have confidence that the transition will be smooth and impervious it is necessary to provide the additional time to complete the conversion.

The required information as outlined in the Non-Competitive Amendment request is attached referencing the item numbers specified.

Thank you for your consideration of this request.

KG:me

Attachment

REQUEST: NON-COMPETITIVE AMENDMENT

APPROVED

Commissioner of Finance & Administration

Date:

RFS #	325,05-004		
SERVICE :	Provides on-line computer service including data maintenance, reporting, issuance of applications and permits, accounts receivable, invoice issuance and printing inspection forms for the programs of retail food store, food manufacturing, weights and measures and petroleum quality.		
CONTRACT #	FA-00-13513-05	PROPOSED AMENDMENT #	6
CONTRACTOR :	Custom Data Processing, Inc.		
CURRENT MAXIMUM LIABILITY :	\$272,500		
START DATE :	07-01-99		
CURRENT END DATE (including all options to extend) :	03-31-05		
MAXIMUM COST <u>WITH</u> PROPOSED AMENDMENT (including all options to extend) :	\$322,500		
END DATE <u>WITH</u> PROPOSED AMENDMENT (including all options to extend) :	03-31-06		
APPROVAL CRITERIA (select one) :			
<input checked="" type="checkbox"/> use of Non-Competitive Negotiation is in the best interest of the state			
<input type="checkbox"/> only one uniquely qualified service provider able to provide the service			

REQUEST: NON-COMPETITIVE AMENDMENT

- 1) description of the proposed additional service and amendment effects;

The amendment to the contract would provide continued services from the provider for on-line computer service including data maintenance, reporting, issuance of applications and permits, accounts receivable, invoice processing and printing of inspection forms for the programs of retail food stores, food manufacturing, weights and measures and petroleum quality.

- 2) explanation of need for the proposed amendment;

The department is developing an in house system to replace the system being provided by the outside vender. The system is not in the production stage of operation; therefore an extension of the current system is necessary. During the development process, the department found it necessary to divert resources dedicated to the system conversion to other areas in order to reconcile recent audit findings. This situation caused a delay in completion of the conversion. The extension would go through another renewal period where 11,000 establishments are issued renewal application and new permits are processed generating over \$2,000,000 in state revenue allowing a proven system to continue until adequate testing can be performed on the in house system.

- 3) name and address of contractor's principal owner(s);

The current contractor is Custom Data Processing, Inc. One West Harris Ave, P.O. Box 2235, La Grange, IL 60525. Principal owner: Jack Marsden, Sr., President.

- 4) documentation of OIR endorsement of the subject procurement request;

See attached

- 5) documentation of Department of Personnel endorsement of the subject procurement request (required only if the service involves training for state employees)

N/A

- 6) description of procuring agency efforts to identify reasonable, competitive, procurement alternatives (rather than to use non-competitive negotiation);

The department has determined that the best alternative alleviate the use of a non-competitive arrangement with the contractor who is currently providing the service is to bring the system in house in order to ensure that the final product would be compatible with the Internet based computer application now used in the Department of Agriculture for several other regulatory programs. The intent is to utilize only one

Internet based computer application, capable of handling revenue collection, applications, inspections and permit issuance, in the same manner, for all of the Department's regulatory program areas. This will allow Agriculture to save employee labor and training time as well as simplifying system maintenance requirements and computer support costs, due to the fact all program areas will utilize the same basic computer application, menu screens and collect funds using the same revenue and accounts receivable system.

7) justification of why the state should approve a Non-Competitive amendment.

The department feels that the cost of services would increase if they were bid competitively and not allow the extension. The charge of the service from the current contract has not increased in many, many years. Placing the contract out for bid for the short period of time expected would be inefficient and would cost the state more expenses.



STATE OF TENNESSEE

FAX TRANSMITTAL

TO:	Bill Ezell, Chief Executive Officer Office for Information Resources	FAX # 741-4589
FROM:	Jimmy Hopper, Director, Regulatory Services	FAX 837-5335
DATE:	1/21/05	
RFS#	325.05.	
RE:	OIR Procurement Endorsement Documentation for -- FA-00-13513-05	
NUMBER OF FAX PAGES (INCLUDING COVER)		

The proposed service procurement documents referenced above are for Information Resources (OIR) for review. The subject scope of services is information systems services or information technology support activities.

This communication seeks to ensure that OIR is aware of the procurement and has an opportunity to review the matter to determine whether OIR is supportive. Please indicate OIR endorsement of the procurement described by signature below and return this communication at your earliest convenience (note the return FAX number above).

If you have any questions or concerns about this matter, please call Jimmy Hopper or Vincent Knox at 837-5152 or 837-5500.

Thank you for your help.

Attachment

OIR ENDORSES THE SUBJECT PROCUREMENT REQUEST


Office for Information Resources


Date

C O N T R A C T S U M M A R Y S H E E T

RFS Number:		Contract Number:	FA-00-13513-06
State Agency:	Agriculture	Division:	Regulatory Services

Contractor	Contractor Identification Number
Custom Data Processing, Inc.	<input checked="" type="checkbox"/> V- <input type="checkbox"/> C-
363022123-00	

Service Description
Computer services for various regulatory programs for Regulatory Services

Contract Begin Date	Contract End Date
07-01-99	03-31-06

Allotment Code	Cost Center	Object Code	Fund	Grant	Grant Code	Subgrant Code
325.05	200	83	11	<input type="checkbox"/> on STARS		

FY	State Funds	Federal Funds	Interdepartmental Funds	Other Funding	Total Contract Amount (including ALL amendments)
2000	\$45,000.00				\$45,000.00
2001	\$45,000.00				\$45,000.00
2002	\$45,000.00				\$45,000.00
2003	\$50,000.00				\$50,000.00
2004	\$50,000.00				\$50,000.00
2005	\$50,000.00				\$50,000.00
2006	\$37,500.00				\$37,500.00
Total:	\$322,500.00				\$322,500.00

CFDA #		Check the box ONLY if the answer is YES:	
State Fiscal Contact		Is the Contractor a SUBRECIPIENT? (per OMB A-133)	
Name:	Casey Ensor	Is the Contractor a VENDOR? (per OMB A-133)	X
Address:	Admin Annex	Is the Fiscal Year Funding STRICTLY LIMITED?	
Phone:	615-837-5161	Is the Contractor on STARS?	X
Procuring Agency Budget Officer Approval Signature		Is the Contractors Form W-9 Filed with Accounts?	X

COMPLETE FOR ALL AMENDMENTS (only)			Funding Certification
	Base Contract & Prior Amendments	This Amendment ONLY	Pursuant to T.C.A., Section 9-6-113, I, M. D. Goetz, Jr., Commissioner of Finance and Administration, do hereby certify that there is a balance in the appropriation from which this obligation is required to be paid that is not otherwise encumbered to pay obligations previously incurred.
END DATE →	03-31-05	03-31-06	
FY: 00	\$45,000.00		
FY: 01	\$45,000.00		
FY: 02	\$45,000.00		
FY: 03	\$50,000.00		
FY: 04	\$50,000.00		
FY: 05	\$37,500.00	\$12,500.00	
FY: 06		\$37,500.00	
Total:	\$272,500.00	\$50,000.00	

**AMENDMENT Six
TO CONTRACT FA-00-13513-00**

This Contract, by and between the State of Tennessee, Department of Agriculture, hereinafter referred to as the State, and Custom Data Processing, Inc., hereinafter referred to as the Contractor, is hereby amended as follows:

1. Delete Section B.1 in its entirety and insert the following in its place:

B.1 Contract Term. This Contract shall be effective for the period commencing on July 1, 1999 and ending on March 31, 2006. The State shall have no obligation for services rendered by the Contractor which are not performed within the specified period.

2. Delete Section C.1 in its entirety and insert the following in its place.

C.1 Maximum Liability. In no event shall the maximum liability of the State under this Contract exceed three hundred twenty-two thousand, five hundred dollars (\$322,500.00). The Unit Rates in Section C.3 shall constitute the entire compensation due the Contractor for the Service and all of the Contractor's obligations hereunder regardless of the difficulty, materials, or equipment required. The Unit Rate included, but are not limited to, all applicable taxes, fees, overhead, profit, and all other direct and indirect costs incurred or to be incurred by the Contractor.

The other terms and conditions of this Contract not amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF:

CUSTOM DATA PROCESSING, INC.:

Jack Marston, Sr., President

Date

DEPARTMENT OF AGRICULTURE:

Ken Givens, Commissioner

Date

APPROVED:

DEPARTMENT OF FINANCE AND ADMINISTRATION:

M. D. Goetz, Jr., Commissioner

Date

COMPTROLLER OF THE TREASURY:

John G. Morgan, Comptroller of the Treasury

Date

CONTRACT SUMMARY SHEET

RFS Number: 325.05-016		Contract Number: FA -00-13513-05	
State Agency: Agriculture		Division: Regulatory Services	
Contractor: CUSTOM DATA PROCESSING INC.		Contractor Identification Number: X V <input type="checkbox"/> C- 363022123-00	
Service Description: Computer Services for various regulatory programs for Regulatory Services.			
Contract Begin Date: 07-01-99		Contract End Date: 03-31-05	
Allotment Code: 325.05	Cost Center: 200	Object Code: 83	Fund: 11 <input type="checkbox"/> on STARS
Grant Code:	Subgrant Code:		
FY	State Funds	Federal Funds	Total Contract Amount (including ALL amendments)
2000	\$45,000.00		\$45,000.00
2001	45,000.00		45,000.00
2002	45,000.00		45,000.00
2003	50,000.00		50,000.00
2004	50,000.00		50,000.00
2005	37,500.00		37,500.00
Total	\$272,500.00		\$272,500.00
CFDA#		Check the box ONLY if the answer is YES:	
State Fiscal Contact		Is the Contractor a SUBRECIPIENT? (per OMB A-133)	
Name: Casey Ensor	Address: Admin Annex	Is the Contractor a VENDOR? (per OMB A-133)	
Phone: 615-837-5161		Is the Fiscal Year Funding STRICTLY LIMITED?	
Procuring Agency Budget Officer Approval Signature		Is the Contractor on STARS?	
<i>Perry Kaufman</i>		Is the Contractor's FORM W-9 ATTACHED?	
		Is the Contractor's Form W-9 Filed with Accounts?	
COMPLETE FOR ALL AMENDMENTS (only)		Funding Certification	
END DATE →	Base Contract & Prior Amendments	This Amendment ONLY	Pursuant to T.C.A., Section 9-6-113, I, M. D. Goetz, Jr., Commissioner of Finance and Administration, do hereby certify that there is a balance in the appropriation from which this obligation is required to be paid that is not otherwise encumbered to pay obligations previously incurred.
FY: 00	06-30-04	03-31-05	
FY: 01	\$45,000.00		
FY: 02	45,000.00		
FY: 03	45,000.00		
FY: 04	50,000.00		
FY: 05	50,000.00		
Total	\$235,000.00	\$37,500.00	


JUN - 7 2004

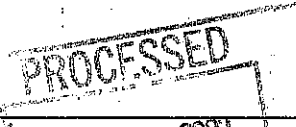
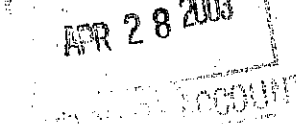
DIRECTOR OF ACCOUNTS

MAY 11 2004

MANAGEMENT SERVICES

CONTRACT SUMMARY SHEET

RFS Number: 325.05-036		Contract Number: FA-00-13513-04	
State Agency: Agriculture		Division: Regulatory Services	
Contractor CUSTOM DATA PROCESSING INC		Contractor Identification Number 363022123-00	
		<input checked="" type="checkbox"/> V <input type="checkbox"/> C-	
Service Description			
Computer Services for various regulatory programs for Regulatory Services			
Contract Begin Date 07-01-99		Contract End Date 06-30-04	
Allotment Code 325.05	Cost Center 200	Object Code 83	Fund 11
		<input type="checkbox"/> on STARS	
Grant	Grant Code	Subgrant Code	
FY	State Funds	Federal Funds	Interdepartmental Funds
			Other Funding
			Total Contract Amount (including ALL amendments)
2000	\$45,000.00		\$45,000.00
2001	45,000.00		45,000.00
2002	45,000.00		45,000.00
2003	50,000.00		50,000.00
2004	50,000.00		50,000.00
Total:	\$235,000.00		\$235,000.00
CFDA #	Check the box ONLY if the answer is YES:		
State Fiscal Contact		Is the Contractor a SUBRECIPIENT? (per OMB A-133)	
Name:	Casey Ensor	Is the Contractor a VENDOR? (per OMB A-133)	
Address:	Admin Annex		
Phone:	615-837-5161	Is the Fiscal Year Funding STRICTLY LIMITED?	
Procuring Agency Budget Officer Approval Signature		Is the Contractor on STARS?	
		Is the Contractor's FORM W-9 ATTACHED?	
		Is the Contractors Form W-9 Filed with Accounts?	
COMPLETE FOR ALL AMENDMENTS (only)		Funding Certification	
	Base Contract & Prior Amendments	This Amendment ONLY	
END DATE →	06-30-03	06-30-04	
FY: 00	\$45,000.00		
FY: 01	45,000.00		
FY: 02	45,000.00		
FY: 03	50,000.00		
FY: 04		\$50,000.00	
Total:	\$185,000.00	\$50,000.00	


 APR 28 2003


RECEIVED
 2003 APR 14 AM 11:20
 COMPTROLLER'S OFFICE
 OFFICE OF
 MANAGEMENT SERVICES

CONTRACT SUMMARY SHEET

RFS Number: 325.05-001		Contract Number: FA-00-13513-013	
State Agency: Agriculture		Division: Regulatory Services	
Contractor		Contractor Identification Number	
CUSTOM DATA PROCESSING INC		<input checked="" type="checkbox"/> V- <input type="checkbox"/> C-	363022123-00
Service Description			
Computer Services for various regulatory programs for Regulatory Services.			
Contract Begin Date		Contract End Date	
07-01-99		06-03-04 <i>03</i>	
Allotment Code	Cost Center	Object Code	Fund
325.05	200	83	11
		<input type="checkbox"/> on STARS	
FY	State Funds	Federal Funds	Interdepartmental Funds
2000	\$45,000.00		
2001	45,000.00		
2002	45,000.00		
2003	50,000.00		
Total:	\$185,000.00		
CFDA #		Check the box ONLY if the answer is YES:	
State Fiscal Contact		Is the Contractor a SUBRECIPIENT? (per OMB A-133)	
Name: Cindy Buchanan		Is the Contractor a VENDOR? (per OMB A-133)	X
Address: Admin Annex		Is the Fiscal Year Funding STRICTLY LIMITED?	
Phone: 615-837-5106		Is the Contractor on STARS?	X
Procuring Agency Budget Officer Approval Signature		Is the Contractor's FORM W-9 ATTACHED?	
<i>Larry D. Maxwell</i>		Is the Contractors Form W-9 Filed with Accounts?	X
		Funding Certification	
COMPLETE FOR ALL AMENDMENTS (only)		Pursuant to T.C.A., Section 9-6-113, I, C. Warren Neel, Commissioner of Finance and Administration, do hereby certify that there is a balance in the appropriation from which this obligation is required to be paid that is not otherwise encumbered to pay obligations previously incurred.	
	Base Contract & Prior Amendments	This Amendment ONLY	
END DATE →	06-30-02	06-30-03	
FY: 00	\$45,000.00		
FY: 01	45,000.00		
FY: 02	45,000.00		
FY: 03		50,000.00	
FY:			
Total:	\$135,000.00	\$50,000.00	

MAY 14 2002

RECEIVED
2002 MAY -7 PM 1:55
COMPTROLLER'S OFFICE
OFFICE OF
MANAGEMENT SERVICES

CONTRACT SUMMARY SHEET

Contract Number	FA-00-13513-02	State Agency	Agriculture
RFS Number	325.05-001	Division	Regulatory Services

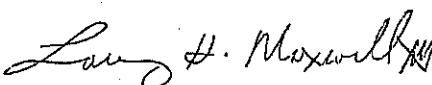
Contractor	Vendor ID Number
Custom Data Processing Inc	<input checked="" type="checkbox"/> V — <input type="checkbox"/> C —
363022123-00	

Service Description
Computer Services for various programs for Regulatory services

Contract Begin Date	Contract End Date
7/1/99	6/30/02

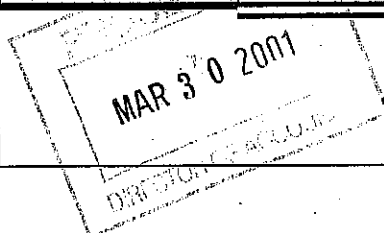
Allotment Code	Cost Center	Object Code	Fund	Grant	Grant Code	Subgrant Code
325.05	200	83	11	<input type="checkbox"/> on STARS		

FY	State Funds	Federal Funds	Interdepartmental Funds	Other Funding	Total Contract Amount (including ALL amendments)
2000	\$45,000.00				\$45,000.00
2001	\$45,000.00				\$45,000.00
2002	\$45,000.00				\$45,000.00
Total	\$135,000.00				\$135,000.00

<input type="checkbox"/>	Fiscal Year Funding is Strictly Limited	CFDA Number	
<input checked="" type="checkbox"/>	Contractor is on STARS	State Fiscal Contact	
<input checked="" type="checkbox"/>	Current Form W-9 On File With Accounts OR	Name	Cindy Buchanan
<input type="checkbox"/>	Form W-9 Attached	Address	Admin Annex
		Phone	615-837-5106
<input checked="" type="checkbox"/>	Service Provider Registered with F&A	Procuring Agency Budget Officer Approval Signature	
<input type="checkbox"/>	Contractor is a SUBRECIPIENT (as defined by OMB Circular A-133)		

COMPLETE FOR ALL AMENDMENTS (only)		
	Base Contract & Prior Amendments	This Amendment ONLY
Contract End Date	6/30/01	6/30/02
FY 2000	\$45,000.00	
FY 2001	\$45,000.00	
FY 2002		\$45,000.00
FY		
FY		
Total	\$90,000.00	\$45,000.00

Funding Certification
Pursuant to T.C.A., Section 9-6-113, I, C. Warren Neel, Commissioner of Finance and Administration, do hereby certify that there is a balance in the appropriation from which this obligation is required to be paid that is not otherwise encumbered to pay obligations previously incurred.

OCR Use Only


RECEIVED
 09 MAR 20 AM 9:34
 COMPTROLLER'S OFFICE
 OFFICE OF
 MANAGEMENT SERVICES

C O N T R A C T S U M M A R Y S H E E T

Contract Number	FA-00-13513-014	State Agency	Agriculture
	325.05 - 001	Division	Regulatory Services
Contractor		Vendor ID Number	
Custom Data Processing, Inc.		<input checked="" type="checkbox"/> V <input type="checkbox"/> C	363022123-00

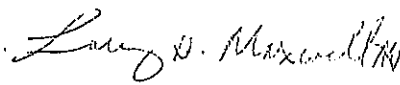
Service Description

Computer Services for various regulatory programs for Regulatory Services.

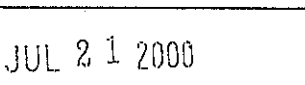
Contract Begin Date	Contract End Date
7/1/99	6/30/01

Allotment Code	Cost Center	Object Code	Fund	Grant	Grant Code	Subgrant Code
325.05	200	083	11	<input type="checkbox"/> on STARS		

FY	State Funds	Federal Funds	Interdepartmental Funds	Other Funding	Total Contract Amount (including <u>ALL</u> amendments)
2000	\$45,000.00				\$45,000.00
2001	\$45,000.00				\$45,000.00
Total	\$90,000.00				\$90,000.00

<input type="checkbox"/>	Fiscal Year Funding Is Strictly Limited	CFDA Number	
<input checked="" type="checkbox"/>	Contractor is on STARS	State Fiscal Contact	
<input checked="" type="checkbox"/>	Current Form W-9 On File With Accounts OR	Name	Cindy Buchanan
<input type="checkbox"/>	Form W-9 Attached	Address	Moss Annex Bldg.
		Phone	(615) 837-5106
<input checked="" type="checkbox"/>	Service Provider Registered with F&A	Procuring Agency Budget Officer Approval Signature	
<input type="checkbox"/>	Contractor is a SUBRECIPIENT (as defined by OMB Circular A-133)		

COMPLETE FOR <u>ALL</u> AMENDMENTS (only)		
	Base Contract & Prior Amendments	This Amendment ONLY
Contract End Date	6/30/00	6/30/01
FY 2000	\$45,000.00	
FY 2001		\$45,000.00
FY		
FY		
FY		
Total	\$45,000.00	\$45,000.00

Pursuant to T.C.A., Section 9-6-113, I, John D. Ferguson, Commissioner of Finance and Administration, do hereby certify that there is a balance in the appropriation from which this obligation is required to be paid that is not otherwise encumbered to pay obligations previously incurred.	<div style="text-align: center;"> Funding Certification  </div>
---	---

OCR RELEASED

OCR Use Only

JUL 21 2000

TO ACCOUNTS

JUL 24 2000

CONTRACT SUMMARY SHEET

<input checked="" type="checkbox"/> NEW CONTRACT <input type="checkbox"/> AMENDMENT #		<input checked="" type="checkbox"/> FA <input type="checkbox"/> GR <input type="checkbox"/> DP <input type="checkbox"/> RV <input type="checkbox"/> ID <input type="checkbox"/> Z <input type="checkbox"/> DG <input type="checkbox"/> NC <input type="checkbox"/> GU <input type="checkbox"/> GG <input type="checkbox"/> DL		CONTRACT NUMBER FA-00-13513-00		RFS NUMBER 325.05-001	
<input checked="" type="checkbox"/> OTHER CONTRACTING PARTY (VENDOR): <input type="checkbox"/> GRANTEE: CUSTOM DATA PROCESSING, INC.				VENDOR I.D. NUMBER: <input checked="" type="checkbox"/> V <input type="checkbox"/> C 363022123-00			
STATE AGENCY: AGRICULTURE				DIVISION: REGULATORY SERVICES			
PROGRAM CONTACT: JIMMY HOPPER FLOOR(SUITE)/BLDG.: Porter Building TELEPHONE: 837-5191				FISCAL CONTACT: Cindy Buchanan FLOOR(SUITE)/BLDG.: Admin. Annex TELEPHONE: 837-5108			
ALLOTMENT CODE	COST CENTER	MAJOR & MINOR OBJECT CODE	FUND	GRANT IS ON STARS	GRANT CODE	SUBGRANT CODE	CFDA NUMBER
325.05	200	083	11	<input type="checkbox"/> Yes			

CONTRACT TERM:

BEGIN DATE: 7/1/99	END DATE: 6/30/00
--------------------	-------------------

ESTIMATED EXPENDITURES BY FISCAL YEAR AND FUNDING SOURCE:

FY	STATE	FEDERAL	INTERDEPARTMENTAL	OTHER	TOTAL CONTRACT AMOUNT INCLUDING ALL AMENDMENTS
2000	\$45,000.00				\$45,000.00
TOTAL	\$45,000.00				\$45,000.00

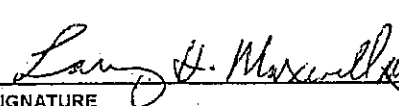
CONTRACT SCOPE / SERVICE DESCRIPTION:

Computer services for various regulatory programs for Regulatory Services

CHECK ONE FOR EACH CATEGORY:

- ☒ FISCAL YEAR FUNDING IS STRICTLY LIMITED.
☐ FUNDS MAY ROLL FORWARD TO SUBSEQUENT FISCAL YEARS WITHIN THE CONTRACT TERM.
- ☒ CONTRACTOR/GRANTEE IS ALREADY SET UP IN STARS ON ACH.
☐ CONTRACTOR/GRANTEE ACH FORM IS ATTACHED.
- ☒ CURRENT FORM W-9 INFORMATION IS ON FILE IN ACCOUNTS.
☐ A FORM W-9 IS ATTACHED.
- ☐ CONTRACTOR/GRANTEE IS A SUBRECIPIENT AS DEFINED BY OMB CIRCULAR A-133
☒ CONTRACTOR/GRANTEE IS A VENDOR AS DEFINED BY OMB CIRCULAR A-133

FISCAL OFFICER/DESIGNEE APPROVAL:


 SIGNATURE DATE 6/1/99

OCA USE ONLY:

COMPLETE FOR AMENDMENTS ONLY:

	ORIGINAL CONTRACT AND PRIOR AMENDMENTS	THIS AMENDMENT ONLY
TERMINATION DATE:		
FY FUNDING:		
TOTAL:		

JUL 17 1999